

MEGIC-01-013



August 20, 2002

2815
#4/Election
9/10/02
✓

To: Commissioner of Patents and Trademarks
Washington, D.C. 20231

Attn: Art Unit 2815 - Chris Chu
From: George O. Saile, Reg. No. 19,572
20 McIntosh Drive
Poughkeepsie, N. Y., 12603

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TECHNOLOGY CENTER 2800

Subject: | Serial No.: 10/054,001 01/19/02 |

Mou-Shiung Lin et al.

THIN FILM SEMICONDUCTOR PACKAGE
AND METHOD OF FABRICATION

| Art Group: 2815 Chris Chu |

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Restriction or Election Requirement in the Office Action dated 08/01/02. In that Office Action, restriction was required to one of two stated

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on August 20, 2002.

George O. Saile, Reg.# 19572

Signature/Date

George O. Saile 8/20/02

Inventions under 35 U.S.C. 121. The Inventions stated are Group I - Claims 1-38 to a thin film semiconductor die package structure, classified in Class 257, subclass 666 and Group II - Claims 39-58 to a process, classified in Class 438, subclass 1+.

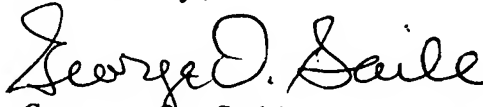
Applicant provisionally elects to be examined the Invention described by the Examiner as Group II - Claims 39-58 drawn to a process classified in Class 438, subclass 1+. This election is made with traverse of the requirement under 37 C.F.R.1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction given in the Office Action. The Examiner gives the reason for the distinctness of the two inventions as (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP 806.05(f)). However, upon reading the product Claims against the process Claims one can readily see that the product Claims are directed to "a thin film semiconductor die package structure" and the process Claims are directed to "a method for fabricating a thin film semiconductor die package", it is necessary to obtain claims in both the product and method claim language. The method Claims necessarily use the product and vice versa. The field of

search must necessarily cover both the method class/subclass 438/1+ and products class 257/666 in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "In the instant case the product as claimed can be made by a materially different process such as forming a layer of leads over and connected to said one or more metal interconnect layers", is very speculative and really has nothing to do with the Claims as presented in this Patent Application. Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of a second Patent Application upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement and the Allowance of the present Patent Application is requested.

Sincerely,

A handwritten signature in cursive script that reads "George O. Saile". The signature is written in dark ink and is positioned above the printed name.

George O. Saile, Reg. #19572